

STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

Business Meeting Minutes

of

August 11, 2004

Business Meeting Minutes of August 11, 2004

The meeting was called to order by Chairman Keese at 10:06 a.m.

The Pledge of Allegiance was led by all.

William J. Keese	Present
Arthur Rosenfeld	Present
James D. Boyd	Present
John L. Geesman	Present
Jackalyne Pfannenstiel	Present

Prior to the meeting starting, Chairman Keese announced the moving of Item 22, Southern California Edison Company, to August 25, 2004.

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A Commissioner may request that an item be discussed and moved to later on the agenda).
 - a. COMMISSION CO-SPONSORSHIP. Possible approval of a co-sponsorship request for which the Energy Commission will provide \$5,000, staff time and the use of its name.
 - Hydrogen Conference: Fueling the Clean Air Future, August 16-17, 2004, Palm Desert, California.
 - b. PIER CONTRACT CHANGES. Consideration and possible approval of staff's recommended changes to the PIER contract terms to conform to the State's Contract format.

Commissioner Rosenfeld moved and Commissioner Boyd seconded approval of the Consent Calendar. The vote was unanimous. (5-0)

2. TESLA POWER PROJECT. Consideration and possible action on both Intervenor Robert Sarvey's and Intervenor CARE's Petitions for Reconsideration of the Energy Commission Decision certifying the Tesla Power Project, sponsored by Florida Power and Light in eastern Alameda County near the city of Tracy. (Docket No. 01-AFC-21)

Two votes were taken on this item.

Commissioner Geesman moved and Commissioner Pfannenstiel seconded Mr. Sarvey's motion to compel the Staff to respond further to a data request on cumulative air impact analyses. The vote was unanimous. (5-0)

Commissioner Geesman moved and Commissioner Pfannenstiel seconded denial of Mr. Sarvey's and CARE's petitions for reconsideration. The vote was unanimous. (5-0)

3. RENEWABLES PORTFOLIO STANDARD ELIGIBILITY GUIDEBOOK. Consideration and possible adoption of Revisions to the Renewable Portfolio Standard Eligibility Guidebook regarding permit requirements for Solid Waste Conversion Facilities.

Commissioner Geesman moved and Commissioner Pfannenstiel seconded approval of the Revisions to the Renewable Portfolio Standard Eligibility Guidebook. The vote was unanimous. (5-0)

4. OX MOUNTAIN LANDFILL GAS PROJECT. Possible approval of Amendment 1 to Funding Award Agreement REN-98-004 from the New Renewable Resources Account (\$3,196,854.47) to the Ox Mountain Landfill Gas Project, a 10-megawatt landfill gas project located in Half Moon Bay, California, owned by Comcor Energy, LLC.

Commissioner Geesman moved and Commissioner Pfannenstiel seconded approval of Amendment 1 to funding Award Agreement REN-98-004 for the Ox Mountain Landfill Gas Project. The vote was unanimous. (5-0)

5. WINDRIDGE, LLC. Possible approval of Funding Award Agreement REN-01-071 from the New Renewable Resources Account (\$1,942,500) to the Windridge LLC Project, a 30-megawatt wind project located in Kern County, California, owned by Oasis Power Partners LLC.

Commissioner Geesman moved and Commissioner Boyd seconded approval of Funding Award Agreement REN-01-071 for the Windridge LLC Project. The vote was 4-0-1 with Commissioner Pfannenstiel recusing herself. (4-0-1)

6. WINDLAND, INC. Possible approval of Amendment 1 to Funding Award Agreement REN-98-016 from the New Renewable Resources Account (\$4,384,500) to the Windland, Inc. Project, a 19.8-megawatt wind project located in Kern County, California, owned by Oasis Power Partners, LLC.

Commissioner Geesman moved and Commissioner Boyd seconded approval of Amendment 1 to Funding Award Agreement REN-98-016 for the Windland, Inc. Project. The vote was 4-0-1 with Commissioner Pfannenstiel recusing herself. (4-0-1)

7. ASSOCIATION OF STATE ENERGY RESEARCH AND TECHNOLOGY TRANSFER INSTITUTIONS (ASERTTI). Possible approval of Contract 500-04-003 for \$54,000 to fund the ASERTTI membership agreement for three years. (PIER funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-04-003. The vote was unanimous. (5-0)

8. CALIFORNIA POLYTECHNIC STATE UNIVERSITY. Possible approval of Contract 400-99-014 Amendment 1, for a no-cost time extension with the California Polytechnic State University Foundation authorizing the use of unspent funds (\$113,000) for a new project to implement an energy irrigation technology roadmap. (PIER funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of

9. REGENTS OF THE UNIVERSITY OF CALIFORNIA, DAVIS. Possible approval of Contract 400-99-005 Amendment 1, for a no-cost time extension to redirect unspent funds (\$459,725) to be used to fund RD&D in refrigerated warehouses. Solutions obtained through the research meet the public policy objectives of reducing electrical loads and consumption in one of the most electricity intensive processes in the food and agriculture industry. (PIER funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 400-99-005 Amendment 1. The vote was unanimous. (5-0)

10. MIRAMAR COLLEGE, SAN DIEGO COMMUNITY COLLEGE DISTRICT. Possible approval of Contract 600-04-001 for up to \$168,740 to develop the California component of the Hydrogen Technology Learning Centers Project in collaboration with Florida and New York. Up to \$125,000 is from the Federal Grant Award and up to \$43,740 is from non-federal sources project partners including in-kind contributions. (Federally funded)

Commissioner Boyd moved and Commissioner Pfannenstiel seconded approval of Contract 600-04-001. The vote was unanimous. (5-0)

11. UNIVERSITY OF CALIFORNIA, DAVIS SPONSORED PROGRAMS. Possible approval of Contract 600-04-003 for up to \$152,122 to develop the California component of the Hydrogen Technology Learning Centers Project in collaboration with Florida and New York. Up to \$125,000 is from the Federal Grant Award and up to \$27,122 is from non-federal sources project partners including, in-kind contributions. (Federally funded)

Commissioner Boyd moved and Commissioner Pfannenstiel seconded approval of Contract 600-04-003. The vote was unanimous. (5-0)

12. CALIFORNIA STATE CONTROLLER'S OFFICE. Possible approval of Contract 200-98-012 Amendment 2, for an augmentation of \$300,000 for the continued auditing services and support to the PIER Audit Program. This money augmentation and time extension covers three fiscal years: 2004/05, 2005/06 and 2006/07. (PIER funded)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 200-98-012 Amendment 2. The vote was unanimous. (5-0)

13. ARCHITECTURAL ENERGY CORPORATION. Possible approval of Contract 400-04-001 for \$380,000 to provide engineering, architectural, market research and market assessment services to support development of the AB 549 plan for reducing peak energy consumption in existing buildings to be delivered to the California Legislature by October 1, 2005. (CALMAC and ERPA funded)

Commissioner Pfannenstiel moved and Commissioner Rosenfeld seconded approval of Contract 400-04-001. The vote was unanimous. (5-0)

14. CALIFORNIA AIR RESOURCES BOARD. Possible approval of Contract 500-00-017 Amendment 3, to add \$1,120,000 to the contract and continue to cost share the purchase of new buses and infrastructure with public school districts in the Lower-Emission School Bus Program.

Commissioner Boyd moved and Commissioner Pfannenstiel seconded approval of Contract 500-00-017 Amendment 3. The vote was unanimous. (5-0)

15. INTELLECTUAL PROPERTY RELEASE. Consideration and possible approval for a Resolution Releasing Intellectual Property to Inventor pursuant to Energy Commission Patent Policy.

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of a Resolution Releasing Intellectual Property to Inventor. The vote was unanimous. (5-0)

16. Minutes

Commissioner Geesman moved and Commissioner Rosenfeld approval of the Minutes from the July 14, 2004 business meeting, with Commissioner Boyd abstaining. The vote was 4-0-1. (4-0-1)

17. Commission Committee and Oversight

Commissioner Geesman made a motion and Commissioner Rosenfeld seconded to Support in Concept the CORE/NonCore proposal. The vote was unanimous. (5-0)

Commissioner Boyd noted that he had recently gotten back from the Boarder Governors Conference in New Mexico and California's Governor made a speech on Energy and embraced what the Commission is doing.

18. Chief Counsel's Report

Chief Counsel Bill Chamberlain reported that DPA had approved two Staff Counsel IV positions for his office, and that Dick Ratliff and Caryn Holmes had been promoted to those positions.

19. Executive Director's Report

Executive Director Bob Therkelsen informed the Commissioners that they would be meeting in the 3rd floor conference room at the conclusion of the Business Meeting to discuss workplans and the California Performance review process, and that after those discussions there would be a Closed Session to discuss a Personnel matter.

20. Legislative Director's Report

No report was given.

21. Public Adviser's Report

Public Adviser Margret Kim informed the Commission of the upcoming IEPR meetings and workshops.

22. Public Comment

Mr. Mark Johnson from Golden Sierra Power spoke regarding his company's being denied a Renewables funding award. Mr. Johnson was asked to speak with Attorney Gabe Herrera and staff member Jim Hoffsis to discuss the matter.

The meeting was adjourned at 11:34 a.m.

BETTY A. McCANN
Secretary to the Commission